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CLIENT NO.: 2416-00300

TOTAL NUMBER OF PAGES (INCLUDING THIS ONE) 4

COMMENTS:Re: U.S. Patent Application No. 10/804,775  
Filing Date: March 19, 2004  
Applicant(s): Kathy MAIDA-SMITH, et al.The following documents are attached for filing:*Statement Regarding Priority Claim*

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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

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PTO/SB/21 (09-04)

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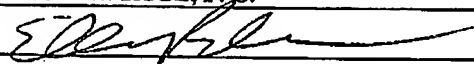
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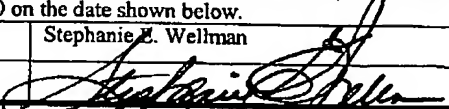
|  |   |                        |                   |
|--|---|------------------------|-------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |   | Application Number     | 10/804,775        |
|  |   | Filing Date            | 03/19/2004        |
|  |   | First Named Inventor   | Kathy MAIDA-SMITH |
|  |   | Art Unit               | 2131              |
|  |   | Examiner Name          |                   |
| Total Number of Pages in This Submission   | 3 | Attorney Docket Number | 2416-00300        |

| ENCLOSURES (check all that apply)  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s)<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication<br>to Group<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group<br><i>(Appeal Notice, Brief, Reply Brief)</i><br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) <i>(please<br/>             identify below):</i><br><i>Statement Regarding Priority Claim</i> |
| Remarks  |  |  |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |   |                 |
|--------------|---|-----------------|
| Firm         | CONLEY ROSE, P. C.  |                 |
| Signature    |  |                 |
| Printed name | Ellen Baker   |                 |
| Date         | July 29, 2005   | Reg. No. 50,272 |

## CERTIFICATE OF TRANSMISSION/MAILING

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| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |   |      |               |
| Typed or Printed Name  | Stephanie E. Wellman  |      |               |
| Signature  |  | Date | July 29, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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JUL 29 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |  |   |                   |            |
|-------------|--|---|-------------------|------------|
| Applicant:  | Kathy MAIDA-SMITH, et al.                                | § | Confirmation No.: |            |
| Serial No.: | 10/804,775   | § | Group Art Unit:   | 2131       |
| Filed:      | March 19, 2004   | § | Examiner:         |            |
| For:        | Network Security Data<br>Management System And<br>Method | § | Atty. Docket No.: | 2416-00300 |

**STATEMENT REGARDING PRIORITY CLAIM**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No. 2416-00300  
Date: July 27, 2005

Sir:

The above-identified patent application was filed on March 19, 2004 as a continuation-in-part of abandoned U.S. Patent Application 09/444,937, filed November 22, 1999. The above-identified patent application also included a priority claim to the '937 patent application in the specification. A petition to revive 09/444,937 was submitted on the same date. This petition to revive was dismissed on June 23, 2004.

Subsequently, a petition to revive abandoned U.S. Patent Application 09/990,194 was submitted on October 29, 2004. This application was filed on November 21, 2001 as a continuation of the '937 patent application and subsequently went abandoned on November 18, 2003 for failure to timely respond to a Notice to File Missing Parts. In the petition to revive this application, the response to the office action was declared to be the filing of the above-identified patent application. The petition to revive was granted on May 20, 2005. The decision letter contained the following statement:

In view of the statement that the reply is the filing of a continuing application, the ... application is being revived solely for the purposes of continuity. As continuity has been established by this decision reviving the ... application, the ... application is again abandoned.

On May 25, 2005, a preliminary amendment to add a priority claim was submitted for the above-identified application. This preliminary amendment adds a priority claim to the '194 patent application to the text of the specification. Because of the unusual facts in this matter and because

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this latter priority claim is made after the time period specified in 37 CFR 1.78(a)(2), Applicants called Retta Williams, the Petitions Examiner who granted the petition to revive the '194 patent application, on July 27, 2005 to verify that continuity, and hence the right to a priority date of November 22, 1999, for the above-identified patent application was indeed established by the decision letter. Ms. Williams stated that the decision letter established continuity for the continuation-in-part application named in the petition to revive, namely the above-identified patent application. Applicants therefore submit that with the filing of the preliminary amendment to correct the priority claim of the above-identified application, all necessary steps have been taken to establish that the above-identified application is entitled to claim the benefit of the November 22, 1999 filing date.

Respectfully submitted,



Ellen Baker

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